

SPW 2617/14

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>Application Number</b>	09/437102-Conf. #7526	
	<b>Filing Date</b>	November 9, 1999
	<b>First Named Inventor</b>	Frederick S.M. Herz
	<b>Art Unit</b>	2617
	<b>Examiner Name</b>	J. Ma
<b>Attorney Docket Number</b>	P0813.70001US02	
<b>Total Number of Pages in This Submission</b>	13	

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Check in the amount of \$795.00 Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Applicant requests a 4 month extension. If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts. Our check in the amount of \$795.00 covering the 4 month extension fee is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. P0813.70001US02. A duplicate copy of this paper is enclosed.	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

<b>Firm Name</b>	WOLF, GREENFIELD & SACKS, P.C.		
<b>Signature</b>			
<b>Printed name</b>	Daniel P. McLoughlin		
<b>Date</b>	July 25, 2006	<b>Reg. No.</b>	46,066

## Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 25, 2006

Signature: Danielle Calder (Signature)



<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b>		<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		Application Number	09/437102-Conf. #7526
		Filing Date	November 9, 1999
		First Named Inventor	Frederick S.M. Herz
		Examiner Name	J. Ma
		Art Unit	2617
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Attorney Docket No.	P0813.70001US02	
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)</b>	<b>795.00</b>

**METHOD OF PAYMENT** (check all that apply)

☒ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account    Deposit Account Number: 23/2825    Deposit Account Name: Wolf, Greenfield & Sacks, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity	
	Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**

2    - 144    x    =    \_\_\_\_\_

**Multiple Dependent Claims**

**Fee (\$)**    **Fee Paid (\$)**

\_\_\_\_\_

**Indep. Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**

2    - 6 =    x    =    \_\_\_\_\_

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/50 _____ (round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): <u>2254 Extension for response within fourth month</u>	<u>795.00</u>

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	46,066
Name (Print/Type)	Daniel P. McLoughlin	Telephone	(617) 646-8000
		Date	July 25, 2006

**Certificate of Mailing Under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 25, 2006    Signature: Danielle Calder (Signature)



DOCKET NO.: P0813.70001US02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**


Applicant: Frederick Herz, et al.  
Serial No.: 09/437,102  
Confirmation No.:  
Filed: November 9, 1999  
For: SYSTEM AND METHOD FOR SCHEDULING  
BROADCAST OF AND ACCESS TO VIDEO PROGRAMS  
AND OTHER DATA USING CUSTOMER PROFILES

Examiner: J. Ma  
Art Unit: 2749

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 25<sup>th</sup> day of July, 2006.

  
Signature

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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action mailed June 1, 2005, and the Office Action mailed February 23, 2006, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the Listing of Claims that begins on page 4 of this Amendment.

**Remarks** begin on page 6 of this Amendment.

08/01/2006 CNGUYEN2 00000026 09437102

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